

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

| | | |
|---------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, | : | |
| Plaintiff, | : | Case No. 3:12-PO-43 |
| -vs- | : | Magistrate Judge Michael J. Newman |
| ALAN R. SELLS, | : | |
| Defendant. | : | |

ORDER

On December 3, 2012, the Court heard oral argument by counsel for both sides concerning a November 28, 2012 petition by United States Probation Department. In that petition, Defendant's probation officer, Laura Sebulsky, recommended that the sentencing requirement -- that Defendant shall participate in a two-day (48 hour) driver intervention program and any recommended follow-up treatment as directed by the probation officer -- be removed given Defendant's satisfactory completion of the substance abuse outpatient treatment program. Ms. Sebulsky participated in the December 3 call. For the reasons set forth in the November 28 petition, and also because the Government has no objection to removing this requirement from Defendant's sentence, the request is **GRANTED** and Defendant is no longer obligated as part of his sentence to participate in a two-day (48 hour) driver intervention program. The Court will issue an Order to this effect today.

IT IS SO ORDERED.

December 3, 2012

s/ **Michael J. Newman**
United States Magistrate Judge